

53A-2-210 Funding.

- (1) A student who enrolls in a nonresident district is considered a resident of that district for purposes of state funding.
- (2) The State Board of Education shall adopt rules providing that:
 - (a) the resident district pay the nonresident district, for each of the resident district's students who enroll in the nonresident district, 1/2 of the amount by which the resident district's per student expenditure exceeds the value of the state's contribution; and
 - (b) if a student is enrolled in a nonresident district for less than a full year, the resident district shall pay a portion of the amount specified in Subsection (2)(a) based on the percentage of school days the student is enrolled in the nonresident district.
- (3)
 - (a) Except as provided in this Subsection (3), the parent or guardian of a nonresident student shall arrange for the student's own transportation to and from school.
 - (b) The State Board of Education may adopt rules under which nonresident students may be transported to their schools of attendance if:
 - (i) the transportation of students to schools in other districts would relieve overcrowding or other serious problems in the district of residence and the costs of transportation are not excessive; or
 - (ii) the Legislature has granted an adequate specific appropriation for that purpose.
 - (c) A receiving district shall provide transportation for a nonresident student on the basis of available space on an approved route within the district to the school of attendance if district students would be eligible for transportation to the same school from that point on the bus route and the student's presence does not increase the cost of the bus route.
 - (d) Nothing in this section shall be construed as prohibiting the resident district or the receiving district from providing bus transportation on any approved route.
 - (e) Except as provided in Subsection (3)(b), the district of residence may not claim any state transportation costs for students enrolled in other school districts.

Amended by Chapter 346, 2008 General Session